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IN THE UNITED STATES DISTRICT COURT
CENTRAL DIVISION, DISTRICT OF UTAH

JIM AND DEBRA EVANS, and JIM and
DEBRA EVANS, as Guardian Ad Litem for
Justin Evans, a Minor,

Plaintiffs,

vs.

TAYLORSVILLE CITY, a body politic,
Taylorsville City Chief of Police LARRY
MARX, Taylorsville police officer CASEY
DAVIES, ANDREA DIRKER, ANTONIA
LENNING and DAVID LENNING,

Defendants.

**JOINT STIPULATION AND MOTION
TO DISMISS THIS CASE, IN ITS
ENTIRETY, WITH PREJUDICE**

Case No. 02:06CV631

Judge Ted Stewart
Magistrate Judge Paul M. Warner

Pursuant to Federal Rule of Civil Procedure 41(a)(2), Plaintiffs Jim Evans (“**Mr. Evans**”), Debra Evans (“**Mrs. Evans**”) and Jim and Debra Evans as Guardian Ad Litem for Justin Evans, who, as of August 11, 2009, is no longer a minor (collectively “**Plaintiffs**”), through counsel of record Jerrald D. Conder, and Defendants Taylorsville City (“**Taylorsville**”),

Larry Marx (“**Chief Marx**”) and Casey Davies (“**Detective Davies**”) (collectively “**Defendants**”), through counsel of record Lisa R. Petersen, John N. Brems and Michael D. Kendall, hereby jointly move the Court for an Order dismissing the above-captioned case, in its entirety, with prejudice.

In support of this motion, Plaintiffs and Defendants, through counsel, acknowledge and represent to the Court that:

1. Plaintiffs and Defendants have agreed to and have executed that certain *Settlement Agreement and General Release of Claims*, which requires the dismissal of this case, in its entirety, with prejudice;
2. Plaintiffs, through counsel, and Defendants, through counsel, agree, consent and stipulate to the dismissal of the above-captioned case, in its entirety, with prejudice; and
3. Plaintiffs, through counsel, and Defendants, through counsel, agree, consent and stipulate that each party shall bear its own costs, fees and/or other expenses related to the above-captioned case.

DATED this 17th day of September, 2009.

PARSONS KINGHORN HARRIS
A Professional Corporation

/s/ Lisa R. Petersen
Lisa R. Petersen
John N. Brems
Michael D. Kendall
*Attorneys for Taylorsville City, Larry Marx, and
Casey Davies*

DATED this 25th day of August, 2009.

/s/ Jerrald D. Conder

Jerrald D. Conder
Attorney for Plaintiffs